

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-8 were pending prior to the Office Action.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Editorially amend the specification.
2. Amend claims 1-8.
4. Add new claims 9-24.
5. Respectfully traverse all prior art rejections.

B. § 102 REJECTION – GARBINI

Claims 3, 4 and 7 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Garbini et al. (U.S. Patent 3,883,386, hereinafter “Garbini”). *See Office Action, item 3 on pages 2-3.* Applicants respectfully traverse.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02.* Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Garbini does not disclose all recited features. For example, claims 3 recites, in part “wherein the press belt overlaps at least a portion of the positioning belt.” Garbini does not disclose this feature.

Garbini is directed toward an apparatus which makes possible the continuous joining or paper printing of flat materials, such as fabrics, sheets of paper, skins, sheets of synthetic material, thin sheets of metal, sheets of plywood, etc. *See Garbini, column 1, lines 3-7.* In Figure 1 Garbini discloses an apparatus which includes an upper conveyor belt 1, and lower conveyor belt 3, and a conveyor belt 4 which continuously feeds articles 5 to a joining machine. *See also column 1, lines 54-68.* In the Office Action, it is alleged that the conveyor belt 4 and the upper conveyor belt 1 of Garbini are equivalent to the positioning belt and the press belt as recited in claim 3. But as Garbini clearly demonstrates, no portion of the upper conveyor belt 1 overlaps the conveyor belt 4. For this reason alone, claim 3 is distinguishable over Garbini.

Claim 4 depends from claim 3 and thus, is also distinguishable over Garbini. Claim 4 is distinguishable on its own merit. Claim 4 recites that the positioning belt is composed of a resin. The Office Action relies upon column 2, line 59 to allegedly disclose this feature. It is noted that column 2, lines 57-59 describe the materials of the upper and lower conveyor belts 1 and 3. Garbini is silent with regard the composition of the conveyor belt 4. Thus, contrary to the Office Action’s allegation, Garbini does not disclosure the feature as recited in claim 4.

Claim 7 recites, in part. “at least one upper resilient member which biases the heating belt towards the press belt” and “at least one lower resilient member which biases the press belt towards the heating belt.” A simple observation of the figures of Garbini makes clear that Garbini lacks these features. Furthermore, the pressing device 7, which the Office Action alleges to be equivalent to the resilient member, cannot not provide biasing of the lower conveyor belt. The location of the pressing device 7 makes it impossible for the pressing device 7 to provide biasing of the lower conveyor belt towards the upper conveyor belt in any meaningful manner.

It is clear that claims 3, 4, and 7 are distinguishable over Garbini. Applicants respectfully request that the rejection of these claims based on Garbini be withdrawn.

C. § 103 REJECTION – JP ‘188, GARBINI

Claims 1, 2, and 5 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP 2000-022188 (hereinafter “JP ‘188”) in view of Garbini et al. *See Office Action, item 7 on pages 4-7.* Applicants respectfully traverse.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142.* One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142;*

M.P.E.P. 706.02(j). Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, the combination JP '188 and Garbini does not disclose all claimed features. For example, independent claim 1 recites, in part, "a press belt extending over the positioning belt and the heating belt in opposed relation to the positioning belt and the heating belt." The Office Action alleges that the conveyor 10 and the endless belt 55 are equivalent to the heating belt and the pressed belt as recited. *See also Figure 1 of JP '188.* but as Figure 5 of JP '188 clearly demonstrates, the endless belt 55 and the conveyor 10 are not in opposed relationship to each another. As shown, they are off set. Thus, contrary to the Office Action's allegations, JP '188 does not disclose the above recited feature.

Claim 1 also recites, in part, "utilizing a production apparatus including a positioning belt and a heating belt located adjacent each other." In a the Office Action, it is alleged that the supply stage 11 is equivalent to the positioning belt as recited. But it is clear that the supply stage 11 is merely another area of the conveyor 10. There are no belts other than the conveyor 10 and the endless belt 55. Thus, contrary to the Office Action's allegation, JP '188 does not teach or suggest the above recited feature.

And it naturally follows that JP '188 does not teach or suggest the feature of the press belt overlapping at least a portion of the positioning belt. And as noted above, Garbini also lacks this feature. For at least these reasons,

independent claim 1 is distinguishable over the combination of JP '188 and Garbini.

Claim 2 depends from claim 1, and thus is distinguishable over the combination of JP '188 and Garbini for at least the above stated reasons. In addition, claim 2 recites that at least a surface of the positioning belt is composed of resin. As demonstrated above, Garbini does not disclose this feature. Thus, claim 2 is distinguishable on its own merit.

Independent claim 5 recites at least one upper resilient member and at least one lower resilient member. It is demonstrated above that Garbini does not disclose this feature. JP '188 is completely silent regarding this issue. Therefore, JP '188 cannot be relied upon to correct this deficiency of Garbini. Accordingly, claim 5 is distinguishable over the combination of JP '188 and Garbini.

Applicants respectfully request that the rejection of claims 1, 2 and 5 based on JP '188 and Garbini be withdrawn.

D. § 103 REJECTION – JP '188, GARBINI, FOCKE

Claims 6 and 8 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP '188 in view of Garbini and further in view of Focke et al (US Patent 5,674,542, hereinafter "Focke"). *See Office Action, item 8 on page 7.* Applicants respectfully traverse.

In this instance, claims 6 and 8 depend from claims 5 and 7, respectively. It is demonstrated above that claims 5 and 7 are distinguishable

over JP '188 and Garbini. Focke does not correct these deficiencies of JP '188 and Garbini. Therefore, claims 5 and 7 are distinguishable over the combination of JP '188, Garbini and Focke. Claims 6 and 8 recite further distinguishing features. Therefore, these claims are distinguishable over the combination of JP '188, Garbini and Focke.

Applicants respectfully request that the rejection of claims 6 and 8 based on JP '188, Garbini and Focke be withdrawn.

E. NEW CLAIMS

Claims 9-24 are added through this reply. All new claims are believed to be distinguishable over the cited references, individually or in any combination. Claims 9-12 depend from claims 3, 5 and 7 which have been demonstrated to be distinguishable over the cited references. Claims 9-12 recite further distinguishing features.

Independent claim 13 recites and upper heating block, a lower heating block, an upper cooling block and a lower cooling block. Applicants respectfully submit that none of the cited references in any combination disclose these features. Claims 14-24 depend from claim 13 and recite further distinguishing features.

Applicants respectfully request that the new claims be allowed.

F. CONCLUSION

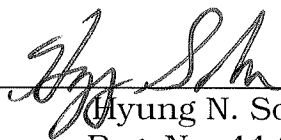
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Hyung N. Sohn
Reg. No. 44,346

HNS/edg
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100